

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**HARTFORD FIRE INSURANCE
COMPANY, and TWIN CITY FIRE
INSURANCE COMPANY,**

Plaintiffs,

v.

**FREDMAN BROTHERS
FURNITURE COMPANY, INC.,**

Defendant.

Civil No. **05-627-GPM**

ORDER

PROUD, Magistrate Judge:

Before the court is Defendant-Counterplaintiff's Motion to Compel Discovery or, in the Alternative, to Reconsider Denial of Defendant's Unopposed Motion to Extend the Discovery Cutoff. (**Doc. 44**). Plaintiffs filed a response. (**Doc. 47**). Defendant then filed a memorandum in support, which the court deems to be a reply. (**Doc. 48**).

Defendant filed its motion to compel one week before the deadline for the completion of discovery. Defendant seeks an order compelling production of plaintiffs' "best practices manual" and of records relating to certain workers compensation claims made by defendant's employees and handled under the insurance policies issued by plaintiffs.

Contrary to the requirements of SDIL-LR 26.1(b)(3), defendant has not furnished the court with a copy of the discovery requests at issue or of plaintiffs' responses thereto. Thus, the court is unable to assess the propriety of the requests or to rule on plaintiffs' objections.

The court notes that the motion is partially moot, as plaintiffs state that they have located and are producing "additional portions of the Best Practices Guide." See, **Doc. 47, p. 2**. They

have also agreed to produce the file on one of the workers compensation claims, which, according to plaintiffs, is the only claim that defendant has placed in issue. The court has no way of ascertaining whether defendant is entitled to other documents as it does not know what documents were requested.

The court explained in **Doc. 42** its reasons for denying defendant's motion to extend the discovery deadline. Nothing in the present motion presents a compelling point requiring reconsideration of that decision.

Upon consideration and for good cause shown, Defendant-Counterplaintiff's Motion to Compel Discovery or, in the Alternative, to Reconsider Denial of Defendant's Unopposed Motion to Extend the Discovery Cutoff (**Doc. 44**) is **DENIED**.

IT IS SO ORDERED.

DATE: March 15, 2007.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE